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Patent Cooperation Treaty —
Legal Office

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received
12/18/00 6:00 PM 5-880

18 AUG 2000

John P. White
COOPER & DUNHAM LLP
1185 Avenue of the Americas
New York, NY 10036

In re Application of
SYNAPTIC PHARMACEUTICAL
CORPORATION
PCT No.: PCT/US00/12065
Int. Filing Date: 03 MAY 2000
Priority Date: 03 MAY 1999
For: DNA ENCODING SNORF36a AND
SNORF36b RECEPTORS

DECISION ON PETITION
UNDER 37 CFR 1.181

The "Communication In Response To June 7, 2000 Invitation To Correct Defects In The International Application" filed 26 JUN 2000 is being treated as a petition under 37 C.F.R. 1.181 for acceptance of drawing sheet 14/35 (figure 7A) filed with the response as being filed on 03 MAY 2000. The petition is **DISMISSED** as follows:

No petition fee is necessary.

MPEP at section 503 states, in part:

"A postcard receipt which itemizes and properly identifies the papers which are being filed serves as prima facie evidence of receipt in the PTO of all the items listed thereon on the date stamped thereon by the PTO."

The evidence submitted by the applicants, which includes a return receipt postcard itemizing all the papers filed on 26 JUN 2000 in connection with international application serial number PCT/US00/12065, is sufficient to establish that drawing sheet no. 14/35 (fig. 7A) was received in the Office on 03 MAY 2000. The postcard indicated that 35 sheets of drawings were included.

8/18/2000
Request for Reconsideration: 9/18/2000
Ext. Response: 10/18/2000
11/18/2000
12/18/2000
1/18/2001
2/18/2001

JAW
59138-B-PCT

P C T Application No.: PCT/US00/12065

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However, applicant has not filed a copy of sheet no. 14/35 as originally filed. Accordingly, applicant's petition cannot be granted.

CONCLUSION


The petition under 37 CFR 1.181 is **DISMISSED** without prejudice.

If reconsideration on the merits of this petition is desired, a proper response must be filed within **ONE (1) MONTH** from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.181." No petition fee is required. Extensions of time may be obtained under 37 CFR 1.136 (a).

Any further correspondence with respect to this matter should be addressed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, with the contents of the letter marked to the attention of the PCT Legal Office.


Leonard Smith
PCT Legal Examiner
PCT Legal Office

JSF/LS:jf


Jeremy Fleming
Paralegal Specialist
PCT Legal Office

(703)308-6154

Applicant Synaptic Pharmaceutical Corporation
Client Synaptic (1795) File No. 59138-B-PCT Atty. JFW/PC
Date May 3, 2000 **PCT/US 00/12065**

Kindly acknowledge receipt of the accompanying

RECEIVED
COOPER & DUNHAM

New PCT International Application Under the Patent Cooperation Treaty
on behalf of Synaptic Pharmaceutical Corporation entitled, DNA
ENCODING SNORF36a AND SNORF36b RECEPTORS, claiming priority to U.S. Patent
E. Borowsky, et al., U.S. Serial No. 09/518,914, filed March 3, 2000,
a continuation-in-part of U.S. Serial No. 09/303,598, filed May 3,
1999, designating all countries available including the United States,
(continuation-in-part), including description (113pp), claims (27pp),
abstract (1p), drawings (35pp), PCT Request Form (6pp), Transmittal
letter, Attachment A to Transmittal Letter, Fee Calculation Sheet,
diskette containing computer-readable form of sequence listing,
Statement of Compliance Under 37 C.F.R. §1.821(f), Sequence Listing
(20pp) attached to Statement of Compliance as Exhibit A, a check for
\$3,766.00, and Express Mail Certificate of Mailing, dated May 3, 2000
by placing your receiving stamp on this document and returning it by
bearing Express Mail Label No. **527 REC'D PCT/PTO 03 MAY 2000**
DUE DATE: May 3, 2000